## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Shinichi SAEKI et al.

Serial No. 09/910,909

Filed July 24, 2001

Confirmation No. 4645

Attorney Docket No. 2001\_1037

Group Art Unit 2616

**Examiner Robert Chevalier** 

OPTICAL DISC, RECORDING APPARATUS, AND COMPUTER-READABLE MEDIUM

## TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

Sir:

The owner, Matsushita Electric Industial Co., Ltd., of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent on pending Application No. 09/910,711, filed July 24, 2001, the grant of any patent on pending Application No. 09/910,733, filed July 24, 2001, and Patent No. 6,347,187, issued February 12, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on Application No. 09/910,711, any patent granted on Application No. 09/910,733, and Patent No. 6,347,187 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any patent granted on Application No. 09/910,711, any 04/21/2006 SZEWDIE1 00000134 09910909 patent granted on Application No. 09/910,733, and Patent No. 16:3817,187 as shortened by any optiminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires

for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is empowered to act on behalf of the organization.

April 20, 2006

By

Vils E. Pedersen, Reg. No. 33,145

Terminal disclaimer fee under 37 CFR 1.20(d) is included.